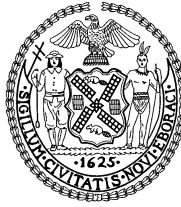


USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/15/2024



MEMORANDUM ENDORSED

MURIEL GOODE-TRUFANT
Acting Corporation Counsel

**THE CITY OF NEW YORK
LAW DEPARTMENT**
100 CHURCH STREET
NEW YORK, NY 10007

ELISSA JACOBS
Senior Counsel
Phone: (212) 356-3540
Fax: (212) 356-3509
Email: ejacobs@law.nyc.gov

November 14, 2024

BY ECF

Honorable Gregory Woods
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Best v. James Merchant, et al.
21-CV-779 (GHW)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, and the attorney for Defendants James Merchant, Steven Acosta, and Stephanie Negron in the above-referenced case. I write on behalf of Defendants to respectfully request that the Court adjourn the deadline for discovery disputes currently scheduled for November 14, 2024 to November 22, 2024. This is Defendants' first request for an extension of discovery disputes. Plaintiff did not respond to Defendants' request for consent.

By way of background, defendants have been attempting to obtain discovery from plaintiff since April 8, 2024. On August 19, 2024, the parties appeared before the Court for a status conference. *See* ECF No. 175. During the conference, Plaintiff was ordered to produce all outstanding discovery by October 18, 2024. Plaintiff did not do so. In an effort to avoid unnecessary Court intervention, and recognizing plaintiff likely would produce the documents by mail, defendants did not immediately contact the Court. Plaintiff mail his discovery production October 26, 2024 via certified mail. Certified mail tracking shows that the package was not delivered to this office until October 31, 2024. Due to various holidays and internal mail delivery processes, Defendants' counsel did not receive the discovery production until November 7, 2024. Plaintiff did not email Defendants' counsel the password to access the discovery production until November 8, 2024.

I am making this request as Defendants have not had a substantive opportunity to review Plaintiff's production and assess whether they have any disputes to bring before the

Court. In addition, defendants would like to confer with plaintiff, if possible, prior to raising any disputes with the Court. Therefore, Defendants respectfully request that the Court adjourn the deadline for discovery disputes currently scheduled for November 14, 2024 to November 22, 2024. This extension would allow Defendants to review the documentation provided by Plaintiff confer with Plaintiff, and only then raise the disputes with the Court.

Defendants thank the Court for its time and consideration of these requests.

Respectfully submitted,

/s/ Elissa Jacobs
Elissa Jacobs
Senior Counsel
Special Federal Litigation Division

cc: **BY MAIL**
Hilary Best
Plaintiff *Pro Se*
Post Office Box 751072
Forest Hills, New York 11375
best-paralegal@hotmailcom

Application granted. Defendants' request to extend the deadline for discovery disputes is granted. The deadline for discovery disputes is extended to November 22, 2024.

SO ORDERED.

Dated: November 15, 2024
New York, New York



GREGORY H. WOODS
United States District Judge